

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

-

WRIT PETITION NO : 23861 of 2004

Between:

The Singareni Coal Lorry Loading-un-loading & Leveling workers Welfare
society, S.R.P.Kanta, Sri Rampur Division, District Adilabad,

rep.by its General Secretary Amaragonda Beeraiah, S/o.Late Raja Mallu,
R/o.Ramaraopet, Jaipur Mandal, Adilabad District.

..... PETITIONER

AND

1The Superintendent of Police, Adilabad, Adilabad District.

2The Circle Inspector of Police, Sri Rampur, Adilabad District.

3The Station House officer, Jaipur Police Station, Adilabad Dist.

4Manehrial Lorry Transport Association, Behind Mancherial Club, I.B.Road,
Mancherial, Adilabad District rep.by President M.Surendernath Reddy.

5Purushotham, Coal Transporter, Ramagundam Transport, Ramagundam,
Karimnagar District.

6Ramesh, Coal Transporter, Maharashtra Transport, Ramagundam,
Karimnagar District.

7Arshi Jain, S/o.not known, Coal Agencies, Coal Yard (Village) Indaram,
Mandal Jaipur, Adilabad District.

8Sunil Kumar, S/o.not known General Secretary, Indaram village coal
Wash, Loading-un-Loading workers union, village Indaram, Mandal, Jaipur,
Dist. Adilabad.

9The Asst. Labour Commissioner, Manchiryal, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus directing the Respondents 1 to 3 to provide protection to the petitioner society by evicting the Respondent No.8 from obstructing the society operations of loading, un-loading and leveling works at srirampur Mining Area (Aryan Energy (p) Ltd.), Adilabad District by declaring the petitioner society is entitled to execute the works of loading, un-loading and levelling works at Srirampur Mining Area (Aryan Energy (p) Ltd.), Adilabad District.

Counsel for the Petitioner:MR.D.L.PANDU

Counsel for the Respondent Nos.1 to 3: GP FOR HOME

Counsel for the Respondent Nos.4 to 8: _____

Counsel for the Respondent No.9: GP FOR LABOUR

The Court at the stage of admission made the following ORDER:

Petitioner claims to be a welfare society of Lorry loading and unloading workers at Sri Rampur of Adilabad district. It claims to be having 170 members on its rolls. It is alleged that by virtue of various agreements entered into by the petitioner on the one hand and the owners of the trucks on the other, the members of the petitioner alone are entitled to be engaged for loading and unloading of coal, and despite the same, respondents 4 to 9 are engaging outsiders for this purpose. The petitioner claims to have made a representation to respondents 1 and 2 complaining high-handed action of respondents 4 to 9 against the members of the petitioner union. It is alleged that no action has been taken by respondents 1 and 2 so far.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

Basically, even if the contention of the petitioner is to be taken as true, it is a dispute under the Trade Union Act or the Industrial Dispute Act or the one of civil nature. The police hardly have any role to play in deciding the nature of

rights of the petitioner and other parties, except where the complaint is about any threat to law and order. This Court cannot direct respondents 1 and 2 to take any specific or particular action in this matter. However, once the petitioner had submitted a complaint narrating its grievance, the same needs to be attended to and the petitioner is entitled to be informed of the action taken thereon. If respondents 1 and 2 find that it is not possible for them to take any action, even such an information has to be given to the petitioner.

Hence, the writ petition is disposed of directing respondents 1 and 2 to pass appropriate orders on the representations said to have been made by the petitioner. To avoid further complications, it is directed that the petitioner shall be entitled to enclose a copy of the representation along with the copy of this order. No order as to costs.

22.12.2004

Note:

Issue CC in three days.

(BO)

ksld

To

- 1 The Superintendent of Police, Adilabad, Adilabad District.
- 2 The Circle Inspector of Police, Sri Rampur, Adilabad District.
- 3 The Station House officer, Jaipur Police Station, Adilabad Dist.
- 4 The Asst. Labour Commissioner, Manchiryal, Adilabad District.

- 5 Two CCs to the Government Pleader for Home, A.P.High Court Buildings, Hyderabad (OUT)

- 6 Two CCs to the Government Pleader for Labour, A.P.High Court Buildings, Hyderabad (OUT)

- 7 Two CD copies.